13 priority filings as is shown on page 1 thereof, and obviously different disclosures in Chung '623 have _different priority_ dates. There clearly is nothing prior to Applicants' date of invention which has been established at least as early as September 19, 2001, and can be established even earlier if necessary, that can be used to reject the present claims.

The only disclosures in the Chung applications earlier than September 19, 2001, relating to medication and RFID tags is that in Chung 60/425,596 on pages 3 and 4 thereof, attached as Exhibit 1, and in Chung 60/248,454 on pages 8-10, attached as Exhibit 2. These disclosures are the same and include a Figure similar to Chung '623 Figure 6. The disclosure in Chung '596 and '454 is called a "dual tag approach" wherein (1) a tag is added to the doctor's prescription, (2) medicines are tagged, and (3) the respective tags are compared when the patient _presents_ the prescription to the _pharmacist for filling_. This has no relationship to the presently claimed apparatus and method for monitoring administration of a medical product to a patient; the Chung disclosure merely relates to correctly filling a prescription.

In the claim rejections, the Examiner refers to various paragraphs (e.g., 0132-0136, 0138) and Fig. 3, none of which exist in the provisional applications and have a priority date earlier than that already established by the Declarations on file; thus, most of this material only has a priority date of October 9, 2001, except for the disclosures in Exhibit 1 and 2 from Chung '596 and '454.

The undersigned has reviewed all of the Chung priority documents. Although they are readily available to the Examiner, copies can be mailed to the Examiner if desired.

Thus, the bottom line is that the only prior art Chung disclosure is that of Exhibits 1 and 2 comparing tagged medication being picked up at a pharmacy with

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the tag on the doctor's prescription, and which clearly does not negate the patentability of any of the present claims.
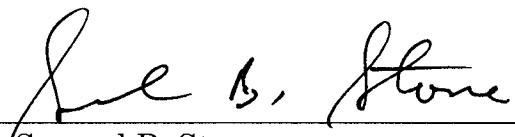
Favorable reconsideration and a Notice of Allowance is earnestly solicited.

The Commissioner is authorized to charge Orrick's Deposit Account No. **150665** for any fees necessary in connection with this response.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

Dated: 3 – 15 – 07

By: _____
Samuel B. Stone
Reg. No. 19,297

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4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710

EXHIBIT 1

REC'D 27 SEP 2002
WIPO   PCT

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

September 20, 2002

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A FILING DATE.

APPLICATION NUMBER: *60/245,596*
FILING DATE: *November 03, 2000*
RELATED PCT APPLICATION NUMBER: *PCT/US01/42563*
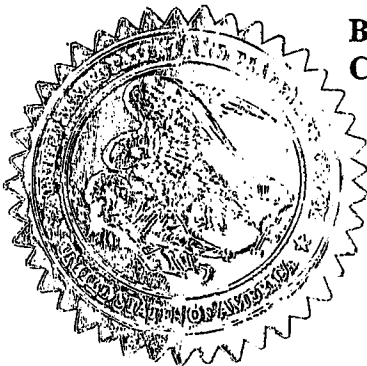
By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS

E. BORNETT
Certifying Officer

PRIORITY
DOCUMENT
SUBMITTED OR TRANSMITTED IN
COMPLIANCE WITH RULE 17.1(a) OR (b)

Other Dual Tag Applications:

Besides its usefulness for baggage claim and other shipping-transportation applications, the dual tag approach may also be used for applications that requires automatic identification and verifications.

For example, they can be readily adapted for use in dispensing medication to the patient. A RF reader/writer can be made to work with label maker. When doctor or other authorized person or authority written out their prescriptions, a tag with sufficient memory will be encoded along with the printed prescription. Many memory chips commonly used for RFID tags may be used. Obvious, there may be several tags each with individual chip for each of the medication or optionally with dosage and usage information. In case of one chip-tag to be used for a medication with several medicines, the memory may be segmented accordingly to as many as necessary for positive identification of such medications and its usage information. Such information will be encoded during the printing of the prescription.

Each type of pills and other forms of medicine in a larger containers will may contain sufficient tags with the proper encoding to be placed on individual and separate smaller bottles or other containers. When medications from such larger container is drawn, a label will be placed on the smaller containers along with the medication. These tags will be used to compare with the prescription tag after the pharmacist picks all of the medicine being prescribed.

When patient present such prescription with proper tag or tags to the pharmacist, the medications will be picked and labeled. The complete prescription drugs will then be given to the patient through a electronic reader gates with proper antennae array. Comparison of the drugs in each labeled containers will be made with the prescription, if wrong or missing or extra drugs

...re found, alarm will be made for correction. This serves as separate check against human

error.

RFID tags encoded for specific medications
  ➢ It may be write-once only chip-tag for
     additional security from tampering

"Master"
Container
of medicine

Smaller
Container
for the
patient

Electronic Gate to
Compare
prescription tag
with that of the
individual tags on
each medication
container for
completeness and
correctness

Smaller
Container
for the
patient

Smaller
Container
for the
patient

Smaller
Container
for the
patient

Prescription with tag or tags

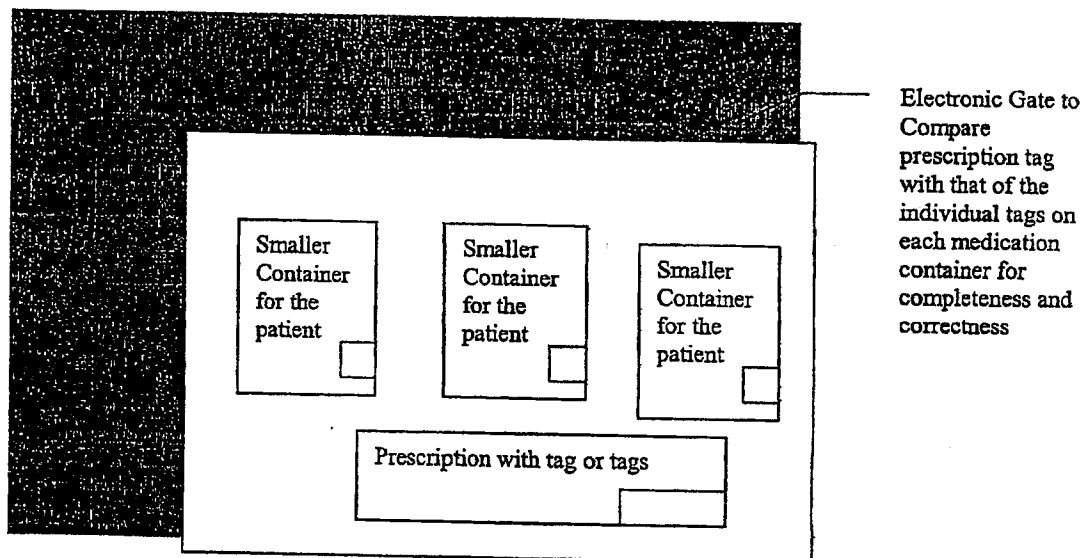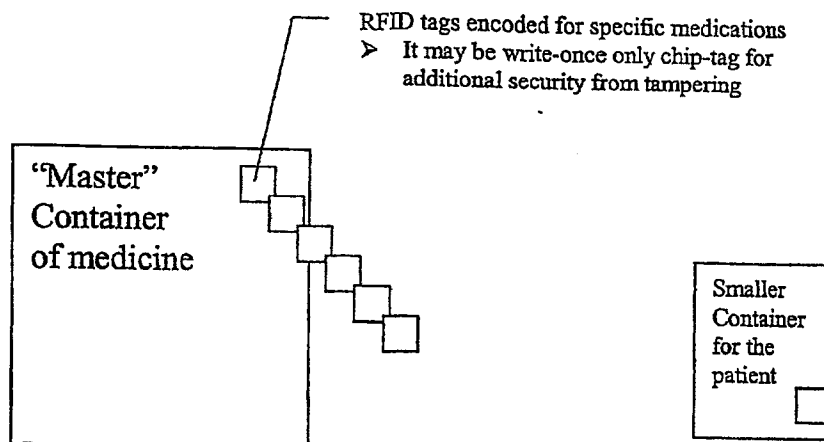# EXHIBIT 2

P1 515933

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

January 29, 2002

THIS IS TO CERTIFY THAT ANNEXED HERETO IS A TRUE COPY FROM THE RECORDS OF THE UNITED STATES PATENT AND TRADEMARK OFFICE OF THOSE PAPERS OF THE BELOW IDENTIFIED PATENT APPLICATION THAT MET THE REQUIREMENTS TO BE GRANTED A FILING DATE UNDER 35 USC 111.

APPLICATION NUMBER: *60/248,454*
FILING DATE: *November 14, 2000*
PCT APPLICATION NUMBER: *PCT/US01/42563*

By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS

L. Edelen

L. EDELEN
Certifying Officer

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COMPLIANCE WITH
RULE 17.1(a) OR (b)

~~~her Dual Tag Applications:~~~

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8

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prescription tag
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correctness

Smaller
Container
for the
patient

Smaller
Container
for the
patient

Smaller
Container
for the
patient

Prescription with tag or tags

10